  
Kristina D. Lawson, J.D., Chair  
Panel B

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

**In the Matter of the Accusation  
Against;**

**LIBERTY PARTRIDGE, M.D.**

**Physician's and Surgeon's  
Certificate No. A 108903**

**Respondent**

**Case No. 800-2015-016653**

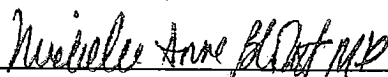
**DECISION**

The attached Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on November 24, 2017.

IT IS SO ORDERED: October 26, 2017.

**MEDICAL BOARD OF CALIFORNIA**

  
\_\_\_\_\_  
Michelle Anne Bholat, M.D., Chair  
Panel B

1 XAVIER BECERRA  
Attorney General of California  
2 ROBERT MCKIM BELL  
Supervising Deputy Attorney General  
3 CHRIS LEONG  
Deputy Attorney General  
4 State Bar No. 141079  
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6 Telephone: (213) 897-2575  
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*Attorneys for Complainant*

8 **BEFORE THE**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:  
LIBERTY PARTRIDGE, M.D.  
12 1515 East Ocean Avenue  
Lompoc, CA 93436  
13 Physician's and Surgeon's Certificate No.  
14 A 108903,  
15 Respondent.

Case No. 800-2015-016653

OAH No. 2017040292

16 **STIPULATED SETTLEMENT AND**  
17 **DISCIPLINARY ORDER**

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board  
22 of California (Board). She brought this action solely in her official capacity and is represented in  
23 this matter by Xavier Becerra, Attorney General of the State of California, by Chris Leong,  
Deputy Attorney General.

24 2. Respondent Liberty Partridge, M.D. (Respondent) is represented in this proceeding  
25 by attorney Matthew R. Rungaitis, whose address is 25329 Irving Lane, Stevenson Ranch,  
26 California 91381.

27 3. On July 15, 2009, the Board issued Physician's and Surgeon's Certificate  
28

1 No. A 108903 to Respondent. The license was in full force and effect at all times relevant to the  
2 charges brought in Accusation No. 800-2015-016653, and will expire on May 31, 2019, unless  
3 renewed.

#### 4 JURISDICTION

5 4. Accusation No. 800-2015-016653 was filed before the Board, and is currently  
6 pending against Respondent. The Accusation and all other statutorily required documents were  
7 properly served on Respondent on March 13, 2017. Respondent filed a timely Notice of Defense  
8 contesting the Accusation.

9 5. A copy of Accusation No. 800-2015-016653 is attached as Exhibit A and is  
10 incorporated herein by reference.

#### 11 ADVISEMENT AND WAIVERS

12 6. Respondent has carefully read, fully discussed with counsel, and understands the  
13 charges and allegations in Accusation No. 800-2015-016653. Respondent has also carefully read,  
14 fully discussed with counsel, and understands the effects of this Stipulated Settlement and  
15 Disciplinary Order.

16 7. Respondent is fully aware of his legal rights in this matter, including the right to a  
17 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine  
18 the witnesses against him; the right to present evidence and to testify on his own behalf; the right  
19 to the issuance of subpoenas to compel the attendance of witnesses and the production of  
20 documents; the right to reconsideration and court review of an adverse decision; and all other  
21 rights accorded by the California Administrative Procedure Act and other applicable laws.

22 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
23 every right set forth above.

#### 24 CULPABILITY

25 9. Respondent understands and agrees that the charges and allegations in Accusation  
26 No. 800-2015-016653, if proven at a hearing, constitute cause for imposing discipline upon his  
27 Physician's and Surgeon's Certificate.

28 ///

10. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest those charges.

11. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

12. Respondent agrees that if he ever petitions for early termination of probation or modification of probation, or if the Board ever petitions for revocation of probation, all of the charges and allegations contained in Accusation No. 800-2015-016653, shall be deemed true, correct and fully admitted by Respondent for purpose of that proceeding or any other licensing proceeding involving Respondent in the State of California.

## CONTINGENCY

13. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

14. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

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1           15. In consideration of the foregoing admissions and stipulations, the parties agree that  
2 the Board may, without further notice or formal proceeding, issue and enter the following  
3 Disciplinary Order:

4                                   **DISCIPLINARY ORDER**

5           **A. PUBLIC REPRIMAND**

6           **IT IS HEREBY ORDERED** that Physician's and Surgeon's License No. A 108903 issued  
7 to Respondent Liberty Partridge, M.D. is hereby publicly reprimanded pursuant to California  
8 Business and Professions Code § 2227(a)(4). This Public Reprimand, which is issued in  
9 connection with Respondent's actions as set forth in Accusation No. 8002015016653, is as  
10 follows:

11           On or about January 5, 2016, you were convicted of a misdemeanor offense, battery  
12 committed against a spouse in violation of Penal Code section 243, subdivision (e)(1),  
13 arising out of an incident of domestic violence stemming from a physical altercation and  
14 argument with your spouse.

15           **B. PROFESSIONALISM PROGRAM (ETHICS COURSE)**

16           Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a  
17 professionalism program, that meets the requirements of Title 16, California Code of Regulations  
18 (CCR) section 1358.1. Respondent shall participate in and successfully complete that program.  
19 Respondent shall provide any information and documents that the program may deem pertinent.  
20 Respondent shall successfully complete the classroom component of the program not later than  
21 six (6) months after Respondent's initial enrollment, and the longitudinal component of the  
22 program not later than the time specified by the program, but no later than one (1) year after  
23 attending the classroom component. The professionalism program shall be at Respondent's  
24 expense and shall be in addition to the Continuing Medical Education (CME) requirements for  
25 renewal of licensure.

26           A professionalism program taken after the acts that gave rise to the charges in the  
27 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
28

1 or its designee, be accepted towards the fulfillment of this condition if the program would have  
2 been approved by the Board or its designee had the program been taken after the effective date of  
3 this Decision.

4 Respondent shall submit a certification of successful completion to the Board or its  
5 designee not later than 15 calendar days after successfully completing the program or not later  
6 than 15 calendar days after the effective date of the Decision, whichever is later.

7 **C. COMMUNITY SERVICE - FREE SERVICES**

8 Within 60 calendar days of the effective date of this Decision, Respondent shall submit to  
9 the Board or its designee for prior approval a community service plan in which Respondent shall,  
10 within the first 2 years after the effective date of this Order, provide 50 hours of free services  
11 (e.g., medical or nonmedical) to a community or non-profit organization.

12 Prior to engaging in any community service, Respondent shall provide a true copy of the  
13 Decision(s) to the chief of staff, director, office manager, program manager, officer, or the chief  
14 executive officer at every community or non-profit organization where Respondent provides  
15 community service and shall submit proof of compliance to the Board or its designee within 15  
16 calendar days. This condition shall also apply to any change(s) in community service.

17 Community service performed prior to the effective date of the Decision shall not be  
18 accepted in fulfillment of this condition. Upon completion of the community service, proof of  
19 compliance shall be provided to the Board or its designee.

20 **D. ANGER MANAGEMENT COURSE**

21 Within 60 calendar days of the effective date of this Decision, Respondent shall submit to  
22 the Board or its designee for its prior approval an anger management course which shall not be  
23 less than 40 hours per year. The anger management course shall be Category I certified. The  
24 anger management course shall be at Respondent's expense and shall be in addition to the  
25 Continuing Medical Education (CME) requirements for renewal of licensure. Proof of  
26 completion shall be provided to the Board or its designee within 15 days of completion.  
27 Following the completion of the course, the Board or its designee may administer an examination  
28 to test Respondent's knowledge of the course. Courses taken after the event listed above, but

1 prior to the filing of the Accusation may be used to satisfy this condition, if approved by the  
2 Board.

3 **E. VIOLATION**

4 Violation of any material part of this order shall be constitute unprofessional conduct.

5 **ACCEPTANCE**

6 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
7 discussed it with my attorney, Matthew R. Rungaitis, I understand the stipulation and the effect it  
8 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and  
9 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
10 Decision and Order of the Medical Board of California.

11  
12 DATED: 8/23/17

Liberty Partridge  
13 LIBERTY PARTRIDGE, M.D.  
Respondent

14 I have read and fully discussed with Respondent Liberty Partridge, M.D. the terms and  
15 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
16 I approve its form and content.

17 DATED: 8-23-17

MATTHEW R. RUNGAITIS  
18 Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
submitted for consideration by the Medical Board of California.

Dated:

8/23/2017

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
ROBERT MCKIM BELL  
Supervising Deputy Attorney General



CHRIS LEONG  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 800-2015-016653**

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO March 13 20 17  
BY D. Richards ANALYST

1 XAVIER BECERRA  
Attorney General of California  
2 ROBERT MCKIM BELL  
Supervising Deputy Attorney General  
3 CHRIS LEONG  
Deputy Attorney General  
4 State Bar No. 141079  
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6 Telephone: (213) 897-2575  
Facsimile: (213) 897-9395  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2015-016653

13 Liberty Partridge, M.D.  
Lompoc Valley Medical Center Emergency  
1515 East Ocean Avenue  
14 Lompoc, CA 93436

**ACCUSATION**

15 Physician's and Surgeon's Certificate No. A 108903,  
16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
21 capacity as the Executive Director of the Medical Board of California (Board).

22 2. On July 15, 2009, the Medical Board issued Physician's and Surgeon's Certificate  
23 Number A108903 to Liberty Partridge, M.D. (Respondent). The Physician's and Surgeon's  
24 Certificate was in full force and effect at all times relevant to the charges brought herein and will  
25 expire on May 31, 2017, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board, under the authority of the following  
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

1           4.   Section 2227 of the Code states:

2           “(a) A licensee whose matter has been heard by an administrative law judge of the  
3               Medical Quality Hearing Panel as designated in Section 11371 of the  
4               Government Code, or whose default has been entered, and who is found guilty,  
5               or who has entered into a stipulation for disciplinary action with the board, may,  
6               in accordance with the provisions of this chapter:

7               “(1) Have his or her license revoked upon order of the board.

8               “(2) Have his or her right to practice suspended for a period not to exceed one  
9               year upon order of the board.

10              “(3) Be placed on probation and be required to pay the costs of probation  
11              monitoring upon order of the board.

12              “(4) Be publicly reprimanded by the board. The public reprimand may include  
13              a requirement that the licensee complete relevant educational courses  
14              approved by the board.

15              “(5) Have any other action taken in relation to discipline as part of an order of  
16              probation, as the board or an administrative law judge may deem proper.

17           “(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical  
18               review or advisory conferences, professional competency examinations,  
19               continuing education activities, and cost reimbursement associated therewith that  
20               are agreed to with the board and successfully completed by the licensee, or other  
21               matters made confidential or privileged by existing law, is deemed public, and  
22               shall be made available to the public by the board pursuant to Section 803.1.”

23           5.   Section 2234 of the Code, states:

24           “The board shall take action against any licensee who is charged with unprofessional  
25           conduct. In addition to other provisions of this article, unprofessional conduct  
26           includes, but is not limited to, the following:

27           “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting  
28           the violation of, or conspiring to violate any provision of this chapter.

1           “(b) Gross negligence.

2           “(c) Repeated negligent acts. To be repeated, there must be two or more negligent  
3           acts or omissions. An initial negligent act or omission followed by a separate and  
4           distinct departure from the applicable standard of care shall constitute repeated  
5           negligent acts.

6                 “(1) An initial negligent diagnosis followed by an act or omission medically  
7                 appropriate for that negligent diagnosis of the patient shall constitute a  
8                 single negligent act.

9                 “(2) When the standard of care requires a change in the diagnosis, act, or  
10                omission that constitutes the negligent act described in paragraph (1),  
11                including, but not limited to, a reevaluation of the diagnosis or a change  
12                in treatment, and the licensee's conduct departs from the applicable  
13                standard of care, each departure constitutes a separate and distinct breach  
14                of the standard of care.

15           “(d) Incompetence.

16           “(e) The commission of any act involving dishonesty or corruption which is  
17           substantially related to the qualifications, functions, or duties of a physician and  
18           surgeon.

19           “(f) Any action or conduct which would have warranted the denial of a certificate.

20           “(g) The practice of medicine from this state into another state or country without  
21           meeting the legal requirements of that state or country for the practice of  
22           medicine. Section 2314 shall not apply to this subdivision. This subdivision shall  
23           become operative upon the implementation of the proposed registration program  
24           described in Section 2052.5.

25           “(h) The repeated failure by a certificate holder, in the absence of good cause, to  
26           attend and participate in an interview by the board. This subdivision shall only  
27           apply to a certificate holder who is the subject of an investigation by the board.”

28    ///

1           6.    Unprofessional conduct under California Business and Professions Code section 2234  
2 is conduct which breaches the rules or ethical code of the medical profession, or conduct which is  
3 unbecoming to a member in good standing of the medical profession, and which demonstrates an  
4 unfitness to practice medicine.<sup>1</sup>

5           7.    Section 2236 of the Code states:

6           “(a) The conviction of any offense substantially related to the qualifications,  
7 functions, or duties of a physician and surgeon constitutes unprofessional  
8 conduct within the meaning of this chapter [Chapter 5, the Medical Practice  
9 Act]. The record of conviction shall be conclusive evidence only of the fact that  
10 the conviction occurred.

11          “(b) The district attorney, city attorney, or other prosecuting agency shall notify the  
12 Medical Board of the pendency of an action against a licensee charging a felony  
13 or misdemeanor immediately upon obtaining information that the defendant is a  
14 licensee. The notice shall identify the licensee and describe the crimes charged  
15 and the facts alleged. The prosecuting agency shall also notify the clerk of the  
16 court in which the action is pending that the defendant is a licensee, and the clerk  
17 shall record prominently in the file that the defendant holds a license as a  
18 physician and surgeon.

19          “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48  
20 hours after the conviction, transmit a certified copy of the record of conviction to  
21 the board. The division may inquire into the circumstances surrounding the  
22 commission of a crime in order to fix the degree of discipline or to determine if  
23 the conviction is of an offense substantially related to the qualifications,  
24 functions, or duties of a physician and surgeon.

25          “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is  
26 deemed to be a conviction within the meaning of this section and Section 2236.1.

27  
28                 <sup>1</sup> *Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.

1 The record of conviction shall be conclusive evidence of the fact that the  
2 conviction occurred."

3 8. California Code of Regulations, title 16, section 1360 states:

4 "For the purposes of denial, suspension or revocation of a license, certificate or permit  
5 pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be  
6 considered to be substantially related to the qualifications, functions or duties of a person holding  
7 a license, certificate or permit under the Medical Practices Act if to a substantial degree it  
8 evidences present or potential unfitness of a person holding a license, certificate or permit to  
9 perform the functions authorized by the licensee, certificate or permit in a manner consistent with  
10 the public health, safety or welfare. Such crimes or acts shall include but not be limited to the  
11 following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
12 violation of, or conspiring to violate any provisions of the Medical Practice Act."

13 **FIRST CAUSE FOR DISCIPLINE**

14 (Conviction of a Crime Substantially Related to the Qualifications,  
15 Functions, or Duties of a Physician and Surgeon)

16 9. Respondent has subjected his Physician's and Surgeon's Certificate to disciplinary  
17 action under sections 2227 and 2234, as defined by section 2236, of the Code, in that he has been  
18 convicted of a crime substantially related to the qualifications, functions, or duties of a physician  
19 and surgeon, as more particularly alleged hereinafter:

20 (a) On or about September 5, 2015, Respondent came home from work and was lying  
21 on the couch. His wife laid next to him and they began to "play wrestle." During the  
22 "play wrestling," Respondent became aggressive and twisted her right arm behind  
23 her back to the point where it caused significant pain. She told Respondent to stop  
24 and that he had hurt her. Respondent told her to get away from him. She stated to  
25 Respondent: "You can be such a jerk sometimes. You are so mean." She  
26 immediately noticed a look of anger in his eyes and it scared her because he had such  
27 a bad temper. She ran up the stairs to get away from him. She turned the corner, up  
28 the stairs, to the second flight. As she was on the second flight of stairs, around the

1 corner, she heard something shatter against the wall at the top of the first flight of  
2 stairs. She was unsure what the object was but believed Respondent had thrown the  
3 television remote against the wall. She was unsure if Respondent had intended to hit  
4 her with the object. She then heard Respondent running up the stairs towards her.  
5 She lay down on the stairs with her arms in front of her to protect herself because she  
6 was so afraid of him running up behind her. He approached her, and while standing  
7 over her, grabbed her head and face with both hands. He picked up her head and  
8 slammed it into the stairs approximately three times while yelling at her. After doing  
9 this he backed away from her. She got up and stated: "This is what you've become,  
10 a wife beater. I'm going to call the cops." Respondent stated: "If you call the cops,  
11 it's just going to cause drama."

12 Two days later, she sought treatment at Goleta Valley Cottage Hospital. She  
13 reported the incident to the police. She suffered a bump on the back of her head. She  
14 had visible injuries to her face and redness around both eyes, which she believed  
15 were sustained when Respondent grabbed her face and head. She had a bruise on the  
16 back of her left shoulder which she believed was sustained when Respondent was  
17 slamming her on the stairs.

18 (b) On or about December 7, 2015; the Santa Barbara County District Attorney  
19 filed a Criminal Complaint against Respondent in the matter of *The People of the*  
20 *State of California vs. Liberty Partridge*, Superior Court Case No. 15-09-0367097.  
21 Count one charged that:

22 "On or about September 7, 2015, in the County of Santa Barbara, the crime of  
23 CORPORAL INJURY TO spouse/cohabitant/former cohabitant/child's parent,  
24 IN VIOLATION OF Penal Code section 273.5(a), a Misdemeanor, was  
25 committed by LIBERTY PARTRIDGE, who did willfully and unlawfully  
26 inflict corporal injury upon a spouse, former spouse, cohabitant or child's  
27 parent resulting in a traumatic condition upon JANE DOE."  
28

1 (c) On or about January 5, 2016, Respondent was convicted upon his plea of No Contest  
2 to Count One. Respondent was sentenced. His terms included: three (3) years  
3 probation; serve 1 day in county jail; do not own or possess a firearm for 10 years;  
4 and 52 week Batterer's Treatment Program.

5 **SECOND CAUSE FOR DISCIPLINE**

6 (Violation of the Medical Practices Act)

7 10. Respondent has further subjected his Physician's and Surgeon's Certificate to  
8 disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (a), of  
9 the Code, in that he has violated or attempted to violate, directly or indirectly, or assisted in or  
10 abetted the violation of, or conspired to violate a provision of the Medical Practices Act, as more  
11 particularly alleged hereinafter: Paragraph 10 above, is hereby incorporated by reference as if  
12 fully set forth herein.

13 **THIRD CAUSE FOR DISCIPLINE**

14 (General Unprofessional Conduct)

15 11. Respondent has further subjected his Physician's and Surgeon's Certificate to  
16 disciplinary action under sections 2227 and 2234 of the Code, in that he has engaged in conduct  
17 which breaches the rules or ethical code of the medical profession, or conduct which is  
18 unbecoming to a member in good standing of the medical profession, and which demonstrates an  
19 unfitness to practice medicine, as more particularly alleged hereinafter: Paragraphs 9 and 10,  
20 above, are hereby incorporated by reference as if fully set forth herein.

21 **PRAYER**

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
23 and that following the hearing, the Medical Board of California issue a decision:

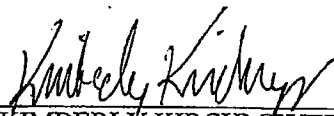
24 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 108903,  
25 issued to Liberty Partridge, M.D.;

26 2. Revoking, suspending or denying approval of his authority to supervise physician  
27 assistants, pursuant to section 3527 of the Code;  
28

1        3.    If placed on probation, ordering him to pay the Board the costs of probation  
2 monitoring; and

3        4.    Taking such other and further action as deemed necessary and proper.

4  
5 DATED:    March 13, 2017

  
KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

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